

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DANIELLE LARSON,

Plaintiff,

vs.

D WESTWOOD, INC. d/b/a TREASURES  
 GENTLEMEN'S CLUB,

Defendant.

Case No. 2:15-cv-01372-RFB-GWF

**ORDER**

This matter is before the Court on Plaintiff's Emergency Motion to Compel Discovery Responses from Defendant (ECF No. 40), filed on April 5, 2016. Defendant filed its Opposition (ECF No. 45) on April 22, 2016. Plaintiff filed her Reply (ECF No. 48) on May 2, 2016. The Court conducted a hearing in this matter on June 6, 2016.

After Plaintiff filed the motion to compel on April 5, 2016, Defendant produced the documents and information that were the subject of the motion. Plaintiff, however, seeks recovery of expenses, including attorney's fees incurred in filing the motion to compel pursuant to Fed.R.Civ.P. 37(a)(5)(A). For the reasons stated by the Court on the record during the hearing, the Court concludes that Plaintiff is entitled to an award of expenses pursuant to Rule 37(a)(5)(A). Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Emergency Motion to Compel Discovery Responses from Defendant (ECF No. 40) is **granted** with respect to Plaintiff's request for an award of expenses, including attorney's fees incurred in filing the motion to compel.

**IT IS FURTHER ORDERED** that Counsel for Plaintiffs shall, no later than 15 days from entry of this order, serve and file a memorandum, supported by the affidavit of counsel, establishing

1 the amount of attorney's fees and costs incurred in the motions addressed in this order. The  
2 memorandum shall provide a reasonable itemization and description of the work performed, identify  
3 the attorney(s) or other staff member(s) performing the work, the customary fee of the attorney(s) or  
4 staff member(s) for such work, and the experience, reputation and ability of the attorney performing  
5 the work. The attorney's affidavit shall authenticate the information contained in the memorandum,  
6 provide a statement that the bill has been reviewed and edited, and a statement that the fees and costs  
7 charged are reasonable.

8 **IT IS FURTHER ORDERED** that Counsel for Defendant shall have 14 days from service  
9 of the memorandum of costs and attorney's fees in which to file a responsive memorandum  
10 addressing the reasonableness of the costs and fees sought, and any equitable considerations deemed  
11 appropriate for the court to consider in determining the amount of costs and fees which should be  
12 awarded.

13 **IT IS FURTHER ORDERED** that Counsel for Plaintiffs shall have 7 days from service of  
14 the responsive memorandum in which to file a reply.

15 DATED this 6th day of June, 2016.

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18 GEORGE FOLEY, JR.  
19 United States Magistrate Judge  
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